

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

David Nagi

Art Unit: 1732

Serial No. 10/710,259

Examiner: Monica Anne Huson

Filed: June 29, 2004

For: THIN WALL INJECTION WITH IN-MOLD DISPLACEMENT

Attorney Docket No: LC 0155 PUS

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Karen Hays
Signature

REPLY TO EXAMINER'S ANSWER

Mail Stop Appeal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This Reply is being filed in response to the Examiner's Answer filed on November 21, 2008.

**The Examiner's Arguments Fail To
Establish A Prima Facie §103 Rejection**

The Examiner's arguments fail to set forth sufficient reasons or grounds for combining the three references in the manner for rejecting the claims. The three references are not properly combinable in a manner which would disclose or suggest (or

teach) the claimed combination, or the successful solution to the problem solved by the Applicant.

Moreover, and perhaps more importantly, even a combination of the three references does not disclose each and every step of the claimed invention: (1) the references do not disclose or suggest the steps of moving a piston to reduce the thickness of the injection molded part only in some areas, and at the same time to force a short shot of plastic material to completely fill out the mold cavity; (2) the combination of references also does not teach reducing the thickness only in certain non-critical areas (i.e. where structural support is not needed); (3) finally, the combination of references does not teach the two above steps and also recognize the ability to do so without the formation (or a minimization) of unsightly knit lines.

Instead, the primary reference, Sasaki, merely discloses a relatively conventional compression injection molding process. There is no suggestion or disclosure of making portions of the product thinner, leaving thicker portions for structural support purposes, or minimizing knit lines.

The secondary reference to Kreuttner relates to molding eyeglass lenses and arguably is not even properly combinable with the Sasaki reference. Even if properly combinable, however, Kreuttner still does not add the steps of making portions of the final product thinner (to save weight, expense, etc.), leaving thicker portions for structural support purposes, or refer in any way to knit lines or their minimization. Kreuttner has a

moveable plate in the mold, but it is moveable only to allow proper shaping of the final eyeglass lens (to achieve aspherical surfaces).

Finally, the Hiroi reference also merely discloses a relatively conventional resin molding system. In this process, a “pressing core” is advanced into the mold, but not for the purposes or reasons of the Applicant’s claimed invention. In Hiroi, a core is advanced merely to take up the contraction or shrinkage of the resin as it cools, which is an entirely different step and for an entirely different reason.

Thus, the Examiner’s asserted combination of three references is a real stretch. The combination does not disclose all of the steps of the Applicant’s claimed method; the structures of the three references cannot be combined to perform a process which is the same as, or similar to, the claimed method invention; and the teachings, disclosures and suggestions of the three references do not in any way disclose the problem faced by the Applicant, let alone the Applicant’s solution to it.

There Also Are Not Any Prima Facie Rejections Of the Dependent Claims

Although the above discussion relates primarily to the invention as set forth in Claim 1, it also applies to all of the other claims involved in this appeal. Claim 1 is the only independent claim, and claims 3 and 6-11 are all dependent from claim 1. Even though the dependent claims are allowable for the same reasons that claim 1 is allowable, the dependent claims are each allowable for the specific additional features added to the

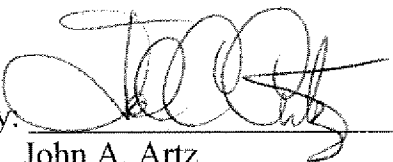
subject matter of claim 1. These are set forth on pages 6-8 of the Applicant's "Brief on Appeal".

Conclusion

It is clear that all of the Examiner's rejections of the claims should be reversed and that the Applicant's invention as claimed should be allowed to issue into a U.S. Patent.

Respectfully submitted,

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